

*Chapter 13***SPOUSES and MEMBERS OF HOUSEHOLD****MARRIAGE**

When a Foreign Service employee marries, the following documents must be submitted within 30 days of the marriage:

- 1) Residence and dependency report (OF-126 or AID 490-2). The appropriate agency HR official will advise the employee of the opportunity to enroll or change enrollment in the health benefit and life insurance programs.
- 2) SF-86 Questionnaire for Sensitive Positions (or other personnel security questionnaire used by participating federal agencies)
- 3) A certified copy of the divorce decree or other evidence of the termination of any former marriage of either the employee or the spouse

Within 90 days of the marriage, a medical examination must be completed for the spouse and any newly acquired dependents.

Employees who intend to marry a foreign national must inform their employing agency at least 90 days prior to the expected date of the marriage. The reporting procedures are listed in 12 FAM 275, Appendix B-3. The employee must submit through his or her Human Resources Officer at post the forms listed above as well as:

- 1) Memorandum of intent
- 2) Counseling memorandum
- 3) OF-174 (the FSN employment application used by Diplomatic Security) or the SF-86 (Questionnaire for Sensitive Positions)
- 4) Biographical sketch on intended and family

Foreign Service or Civil Service employees who marry foreign nationals without providing the required advance notification are liable for consideration of disciplinary action against them.

Expedition Naturalization

Foreign-born spouses wishing to become naturalized U.S. citizens may take advantage of expeditious naturalization according to #319 (b) of the Immigration and Nationality Act (INA). The foreign-born spouse

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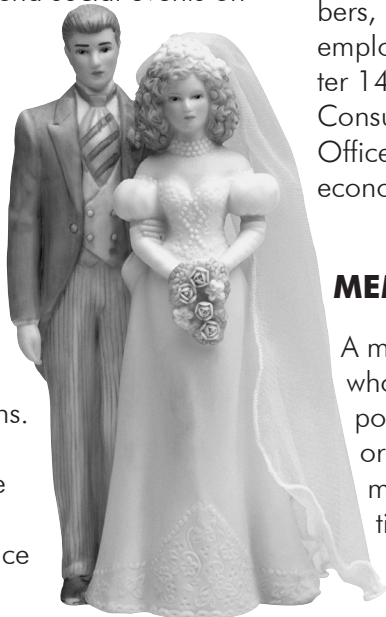
must be a legal permanent resident of the U.S. and accompany and reside with the Foreign Service employee at post. To qualify, the Foreign Service Officer must have an overseas assignment that lasts at least one year.

The average processing time is four to five months. Spouses of employees with less than one year of their overseas assignment remaining, those returning to the United States, and spouses of employees on unaccompanied tours are not eligible for expeditious naturalization. Foreign-born spouses are not required to naturalize.

SPOUSAL RIGHTS AND RESPONSIBILITIES

All official members of a Foreign Service family enjoy privileges, such as payment for official travel, housing while overseas, and so on. As with any official situation, however, certain rules and regulations apply. In 1972, the Department of State issued a "Policy on Wives of Foreign Service Employees." The policy now applies to male spouses and other eligible family members (EFMs), as well as to wives. Key points include the following:

- EFMs are private individuals, not U.S. Government employees, so they cannot be required to perform official duties.
- Likewise, the U.S. Government cannot insist that family members carry out representational responsibilities (hold or attend social events on behalf of the government).
- Family member participation in charitable activities, clubs, and social gatherings is strictly voluntary.
- No EFM has authority over members of other families based on the employees' respective positions.
- Family members cannot be evaluated as part of employees' official performance reports.



- Family members are required to behave in a manner "which will not reflect discredit on the United States."

In other words, Foreign Service family members do not have to participate in embassy activities overseas, although many family members find such participation to be both enjoyable and worthwhile. However, family members do have to follow certain ethical guidelines.

In brief, family members overseas should not do the following:

- Accept items of monetary value (gifts, favors, entertainment) from people seeking official action by or trying to do business with the Department of State.
- Make local investments while at post (including real estate, except for personal occupancy; stocks, bonds, or shares of companies headquartered in the country; and so on).
- Participate in partisan political activities of the host country.

The Office of Government Ethics provides more guidance (www.usoge.gov) or the employee can check the State Department intranet site (<http://ethics.state.gov>).

Other policies and regulations apply to family members, including host country regulations related to employment outside the U.S. embassy (see Chapter 14, "Family Member Employment Overseas"). Consult post's Management or Human Resources Office for further guidance on working on the local economy.

MEMBERS OF HOUSEHOLD

A member of household (MOH) is an individual who resides with a Foreign Service employee at post, but is not on the employee's official travel orders; this individual falls outside of the Department of State's current legal and statutory definition of an eligible family member. Employees are required to notify post management that a member of household will reside with them

during their tour of duty at post. MOHs may include elderly family members, other relatives of the employee, domestic partners, and adult dependents over the age of 21 who do not have any special needs. There is no limit on the number of people an employee may declare as members of household.

A Foreign Service child from ages 21 to 23 could still be on travel orders if the child continues to receive the education travel allowance. This status would end upon turning 23 or finishing undergraduate studies. In addition, family members may still be on travel orders until the age of 23 if they have served in the military and fulfill certain conditions. They would not have been considered a dependent during their military service and can extend their period of eligibility by the number of years of service.

Accommodations

Any member of household who has been declared to the Chief of Mission may receive limited support and assistance from post. Without conferring any special status, 3 FAM 4180 provides guidance to Chiefs of Mission on how to best facilitate member of household integration into the post community. Where appropriate and practicable and subject to local law, post may:

- Assist MOHs with obtaining residency permits and travel visas in accordance with local laws.
 - Include all U.S. citizen MOHs in the mission warden system.
 - Encourage employees to complete emergency locator cards for their MOHs.
 - Allow MOHs access to CLO and FLO-sponsored activities and programming (except those events precluded by current regulation or policy).
 - Include MOHs in post telephone and address listings at the employee's request.
 - Permit MOHs to apply and compete for local-hire positions within the mission. (See "Limitations," below.)
- Allow MOHs to participate in all events officially sanctioned by post.
 - Grant MOHs access to the Department of State's intranet (see 5 FAM 780).

Limitations

There are limitations on what the government can provide MOHs. Limits apply to the following:

- The U.S. Government will not pay for official travel for MOHs, including travel to post, home leave, R&R, transfers, or vacations.
- The post health unit is restricted from providing medical care to MOHs.
- Only children adopted by the employee qualify for an education allowance.
- MOHs may not work within the mission under a Family Member Appointment.
- MOHs do not have diplomatic status and therefore do not fall under bilateral work agreements or de facto work arrangements. MOHs are subject to host country employment regulations and must secure a valid work permit to work at post.
- In the event of an official evacuation from post, U.S. citizen MOHs are eligible for evacuation services provided through post's American Citizen Services, but must reimburse the U.S. Government for transportation costs. MOHs are not entitled to evacuation Subsistence Expense Allowance (SEA) benefits.

Notwithstanding these limitations, MOHs are to be considered an integral part of the U.S. mission community.

RESOURCES

Regulations

3 FAM 4180

Provides guidance to Chiefs of Mission on accommodating members of household
<http://foia.state.gov/REGS/Search.asp>

5 FAM 780

Provides MOH access to Internet and intranet at post
<http://foia.state.gov/REGS/Search.asp>

Offices and Organizations

Family Liaison Office (M/DGHR/FLO)

Room 1239, Harry S Truman Building
2201 C Street, NW
Washington, DC 20520-7512
Tel: (202) 647-1076 or (800) 440-0397
Fax: (202) 647-1670
Intranet: <http://intranet.hr.state.sbu/offices/FLO>
Internet: <http://www.state.gov/m/dghr/flo/>
E-mail: flo@state.gov for general questions
FLOAskEducation@state.gov for education questions
FLOAskEmployment@state.gov for questions about family member employment
FLOAskSupportServices@state.gov for questions about spouses, partners, and members of household

Spouse and Partner Guide--For those new to the Foreign Service:

<http://www.state.gov/documents/organization/101170.pdf>

Members of Household information:

<http://www.state.gov/m/dghr/flo; select under FLO A-to-Z Site Map>

Adding Spouses or Same-Sex Domestic Partners to Orders:

<http://www.state.gov/m/dghr/flo/c23168.htm>

Foreign Service Institute Transition Center (M/FSI/TC)

George P. Shultz National Foreign Affairs Training Center (SA-42)
Department of State
Washington, DC 20522-4202
Physical location: 4000 Arlington Blvd., Arlington, VA (do not send mail to this address)
Internet: <http://www.state.gov/m/fsi/tc/>
Intranet: <http://fsi.state.gov/fsi/tc/>

Directions, maps, parking and other information
<http://www.state.gov/m/fsi/tc/c16687.htm>

Transition Center Overseas Briefing Center

(M/FSI/TC/OBC)
Room E2126
Tel: (703) 302-7277
Fax: (703) 302-7452
E-mail: FSIOBCInfoCenter@state.gov

Transition Center Training Division (M/FSI/TC/T)

Foreign Service Life Skills Training
Tel: (703) 302-7268
E-mail: FSITCTraining@state.gov

Security Overseas Seminars

Tel: (703) 302-7269
E-mail: FSISOS@state.gov

Related Transition Center Training

Realities of Foreign Service Life (MQ 803)
Communicating Across Cultures (MQ 802)
<http://www.state.gov/m/fsi/tc/c6950.htm>

Associates of the American Foreign Service Worldwide (AAFSW)

5555 Columbia Pike, Suite 208
Arlington, VA 22204-3117
Tel: (703) 820-5420
Fax: (703) 820-5421
Email: office@aafsw.org
Internet: <http://www.aafsw.org>

AAFSW is a private, non-profit membership organization dedicated to serving the Foreign Service community. It is primarily made up of Foreign Service family members and members of household. The AAFSW website is full of information; of particular interest is the "Livelines" e-group, a forum for members of the Foreign Service community to ask questions and share experiences.

Gays and Lesbians in Foreign Affairs Agencies (GLIFAA)

Internet: <http://www.glifaa.org>
GLIFAA is the officially recognized employee organization representing the concerns of gays and lesbians in the foreign affairs agencies. GLIFAA members include Foreign Service, Civil Service, and associated members who serve in Washington, DC, and at

numerous U.S. diplomatic and consular posts world-wide.

Bureau of Consular Affairs

This bureau provides information for U.S. citizens living abroad. Its website covers a number of crucial matters, including medical issues, help for Americans abroad, citizenship and nationality, lists of international doctors/hospitals, and overseas voting assistance.

Internet: <http://www.travel.state.gov>

Office of Government Ethics

www.usoge.gov

State Department Ethics

<http://ethics.state.gov> (intranet)

Publications

Bender, Margaret. *Foreign at Home and Away: Foreign-Born Wives in the U.S. Foreign Service*. 2002.

Describes the challenges that confront foreign-born spouses of U.S. Foreign Service officers and provides insight on the demands faced by all Foreign Service partners.

Bryson, Debra R. and Charise M. Hoge. *A Portable Identity: A Woman's Guide to Maintaining a Sense of Self While Moving Overseas*. Georgetown, TX: Park Publications, 2003.

A workbook and guide on re-establishing a personal sense of identity when overseas.

Hughes, Katherine L. *The Accidental Diplomat: Dilemmas of the Trailing Spouse*. Putnam Valley, NY: Aletheia Publications, 1999.

A sociological study of Foreign Service spouses.

Linderman, Patricia and Melissa Brayer Hess, eds. *Realities of Foreign Service Life*. Lincoln, NE: iUniverse, 2002.

A collection of essays about Foreign Service life from the Associates of the American Foreign Service Worldwide.